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Nozomu Okuzawa

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EXAMINER

BROMELL, ALEXANDRIA Y

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/568,968	<b>Applicant(s)</b> OKUZAWA, NOZOMU	
	<b>Examiner</b> ALEXANDRIA Y. BROMELL	<b>Art Unit</b> 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 11-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 11-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

This Office Action is in response to Applicant's amendment 10/568,968, filed 2/05/08. Claims 1 and 11-33, which are currently pending, are considered below.

#### ***Priority***

This is a 371 of PCT/JP/04/13720, dated 9/14/04, which claims priority to Japan 2003-335990, filed 9/26/03.

#### ***Response to Arguments***

Applicant's arguments filed 2/5/08 have been fully considered but they are not persuasive.

Claim 1 was amended to add new limitations, and claims 21-33 were added.

With respect to claim 11, applicant argues that Wilens does not disclose ' a transmission step of transmitting at least attribute information of the other users that corresponds to the second taste information to the terminal apparatus of the user' (p14, remarks). Examiner submits that Wilens teaches that user preferences and attributes can be transmitted to other users using table lookups (column 9, lines 6-14).

With respect to claim 16, applicant argues that Wilens does not disclose ' a reception step of receiving attribute information of the plurality of other users that corresponds to the second taste information, the attribute information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein' (p15, remarks). Examiner submits that Wilens teaches that a user inputs profile information like

preferences and attributes into the system, and may search attributes or modify the attributes they desire in their group friends, (column 2, lines 54-65, and column 9, lines 6-14).

***Claim Rejections - 35 USC § 101***

Examiner recognizes that the 'computer-readable storage medium' of claim 31 is a hard disk drive with random access memory running on a CPU.

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 26-30 and 33 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The claims lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 USC 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive

material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See *Diehr*, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because “[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.”).

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 11-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Wilens (U.S. Patent 7092952).

With respect to claim 1, Wilens teaches reception means for receiving first taste information that represents ~~the~~ a taste of a user from a terminal apparatus of the user (i.e. subscriber registers and stores personal profile, which is received and stored in database, column 2, lines 59-61), storage means for storing ~~the~~ a plurality of taste information that represent ~~respectively the~~ respective tastes of a plurality of other users

and attribute information corresponding to the plurality of other users (i.e. database stores user profiles which have preferences from many subscribers, claim 1, the profiles identify subscribers that have common preferences, or attributes, column 2, lines 54-61), search means for searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored in the storage means (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal tastes and preferences, column 3, lines 9-15), retrieval means for retrieving at least the attribute information of the plurality of other users that correspond to the second taste information (i.e. a search can be done for only married men, for example, or can display characteristics your friend must not have, column 9, lines 9-15), and transmission means for transmitting the retrieved attribute information ~~at least attribute information of the other users that correspond to the second taste information~~ to the terminal apparatus of the user (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1).

With respect to claim 11, Wilens teaches a reception step of receiving first taste information that represents ~~the~~ a taste of a user from a terminal apparatus of the user (i.e. subscriber registers and stores personal profile in database, column 2, lines 59-61), a search step of searching for second taste information having a resemblance to the first taste information from a plurality of taste information of other users stored in a predetermined storage means unit (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal

tastes and preferences, column 3, lines 9-15, and database stores profiles from many subscribers, claim 1), and a transmission step of transmitting at least attribute information of the other users that corresponds to the second taste information to the terminal apparatus of the user (i.e. users taste may be biographical information, or information about personal preference, column 2, lines 66-67, column 3, line 1, and user may search for users that have similar attributes, so that information is transmitted between the server database and the user, column 9, lines 9-14).

With respect to claim 12, Wilens teaches the transmission step transmits at least group information that represents groups that the other users belong to and that corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. group creator may set the number of group members, who are matched to join the group by specific criteria or attributes, column 6, lines 29-39).

With respect to claim 13, Wilens teaches the reception step receives a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the search step searches for taste information including the search key information from the plurality of taste information of the other users stored in the predetermined storage ~~means~~ unit as the second taste information having a the resemblance to the first taste information (i.e. in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission step transmits at least group

information that represents groups that the other users belong to and that corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51).

With respect to claim 14, Wilens teaches the transmission step transmits at least the second taste information and group information that represents groups that the other users belong to and corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. group members have similar specified preferences, or tastes, which determine if the user has been admitted to the group, column 9, lines 31-36).

With respect to claim 15, Wilens teaches the reception step receives a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the search step searches for taste information including the search key information from the plurality of taste information of the other users stored in the predetermined storage means as the second taste information having a resemblance to the first taste information (i.e. in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission step transmits at least the second taste information and group information that represents groups that the other users belong to and



corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51).

With respect to claim 16, Wilens teaches a transmission step of transmitting first taste information that represents the taste of a user to a predetermined apparatus that stores the plurality of taste information that represent respectively the tastes of a plurality of other users (i.e. user accesses database that has profiles of other users stored, claim 1), and a reception step of receiving attribute information of the other users that corresponds to the second taste information, the attribute information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored therein (i.e. when users set up their profiles, they specify their preferences, or tastes, which allow the users to gain membership to a group, column 8, lines 38-67, and user may search for users that have similar attributes, so that information is transmitted between the server database and the user, column 9, lines 9-14).

With respect to claim 17, Wilens teaches the reception step receives group information that represents groups that the plurality of other users belong to and corresponds to the second taste information as the attribute information, the group information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for the second taste information

having a the resemblance to the first taste information from the plurality of taste information stored therein (i.e. users specify personal preferences or tastes in their profile, and are matched with groups that have the same characteristic requirements, column 8, line 38 – column 9, line 10).

With respect to claim 18, Wilens teaches the transmission step transmits a part of the first taste information that represents the taste of the user as search key information to the predetermined apparatus that stores the plurality of taste information that represent ~~respectively~~ the respective tastes of a the plurality of other users (i.e. users set specific keys, or preferences, that are stored in the computer database, column 9, lines 1-10), and the reception step receives group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information, the group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored therein as the second taste information having a the resemblance to the first taste information (i.e. members are admitted to a group if they have similar tastes, or preferences, and computer database receives specific preferences in order to match individual users with a group, column 6, lines 8-67).

With respect to claim 19, Wilens teaches the reception step receives the second taste information and group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information, the second taste information and the group information being information

that the predetermined apparatus that has received the first taste information at least transmits after searching for the second taste information having a the resemblance to the first taste information from the plurality of taste information stored therein (i.e. users are added to groups when their preferences, or tastes fit the matching criteria for group membership, column 7, lines 25-46).

With respect to claim 20, Wilens teaches the transmission step transmits a part of the first taste information that represents the taste of the user as search key information to the predetermined apparatus that stores the plurality of taste information that represent ~~respectively~~ the respective tastes of a the plurality of other users (i.e. user key specifies user preferences and tastes, column 9, lines 1-10), and the reception step receives the second taste information and group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information, the second taste information and the group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored there in as the second taste information having a the resemblance to the first taste information (i.e. users input their personal profiles with preferences and tastes, and groups are created to match users with similar tastes, column 8, line 38- column 9, line 10).

With respect to claim 21, Wilens teaches a reception unit configured to receive first taste information that represents a taste of a user from a terminal apparatus of the

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user (i.e. subscriber registers and stores personal profile, which is received and stored in database, column 2, lines 59-61, and when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), a storage unit configured to store a plurality of taste information that represent respective tastes of a plurality of other users and attribute information corresponding to the plurality of other users (i.e. database stores user profiles which have preferences from many subscribers, claim 1, the profiles identify subscribers that have common preferences, or attributes, column 2, lines 54-61), a search unit configured to search for second taste information having a resemblance to the first taste information from the plurality of taste information stored in the storage unit (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal tastes and preferences, column 3, lines 9-15), a retrieval unit configured to retrieve at least the attribute information of the plurality of other users that correspond to the second taste information (i.e. a search can be done for only married men, for example, or can display characteristics your friend must not have, column 9, lines 9-15), and a transmission unit configured to transmit the retrieved attribute information of the plurality of other users that correspond to the second taste information to the terminal apparatus of the user (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1).

With respect to claim 22, Wilens teaches the transmission unit is configured to transmit at least group information that represents groups that the plurality of other

users belong to and that corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51, and (i.e. group members have similar specified preferences, or tastes, which determine if the user has been admitted to the group, column 9, lines 31-36).

With respect to claim 23, Wilens teaches the reception unit is configured to receive a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. subscriber registers and stores personal profile, which is received and stored in database, column 2, lines 59-61, and in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10)), the search unit is configured to search for taste information including the search key information from the plurality of taste information stored in the storage means as the second taste information having the resemblance to the first taste information (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal tastes and preferences, column 3, lines 9-15, and in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission unit is configured to transmit at least group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. computer system

transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1, and group members have similar specified preferences, or tastes, which determine if the user has been admitted to the group, column 9, lines 31-36).

With respect to claim 24, Wilens teaches the transmission unit is configured to transmit at least the second taste information and group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51, and group members have similar specified preferences, or tastes, which determine if the user has been admitted to the group, column 9, lines 31-36).

With respect to claim 25, Wilens teaches the reception unit is configured to receive a part of the first taste information that represents the taste of the user from the terminal apparatus of the user as search key information (i.e. subscriber registers and stores personal profile, which is received and stored in database, column 2, lines 59-61, and in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), the search unit is configured to search for taste information including the search key information from the plurality of taste information stored in the storage means as the second taste information having the resemblance to the first taste information (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched

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based on their personal tastes and preferences, column 3, lines 9-15, and in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the transmission unit is configured to transmit at least the second taste information and group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information to the terminal apparatus of the user (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1, and information is transmitted on the computer about the groups that a user belongs to, and other groups that are available based on user preferences, column 8, lines 38-51).

With respect to claim 26, Wilens teaches a transmission unit configured to transmit first taste information that represents a taste of a user to a predetermined apparatus that stores a plurality of taste information that represent respective tastes of a plurality of other users (i.e. subscriber registers and stores personal profile, which is received and stored in database, column 2, lines 59-61), and a reception unit configured to receive attribute information of the plurality of other users that correspond to the second taste information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the attribute information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for second taste information having a resemblance to the first taste information from the plurality of taste

information stored therein (i.e. a search can be done for only married men, for example, or can display characteristics your friend must not have, column 9, lines 9-15).

With respect to claim 27, Wilens teaches the reception unit is configured to receive group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the group information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for the second taste information having the resemblance to the first taste information from the plurality of taste information stored therein (i.e. users specify personal preferences or tastes in their profile, and are matched with groups that have the same characteristic requirements, column 8, line 38 – column 9, line 10).

With respect to claim 28, Wilens teaches the transmission unit is configured to transmit a part of the first taste information that represents the taste of the user as search key information to the predetermined apparatus that stores the plurality of taste information that represent the respective tastes of the plurality of other users (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1), and the reception unit is configured to receive group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information (i.e. when user sets up profile, they



input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored therein as the second taste information having the resemblance to the first taste information (i.e. users specify personal preferences or tastes in their profile, and are matched with groups that have the same characteristic requirements, column 8, line 38 – column 9, line 10).

With respect to claim 29, Wilens teaches the reception unit is configured to receive the second taste information and group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the second taste information and the group information being information that the predetermined apparatus that has received the first taste information at least transmits after searching for the second taste information having the resemblance to the first taste information from the plurality of taste information stored therein (i.e. users specify personal preferences or tastes in their profile, and are matched with groups that have the same characteristic requirements, column 8, line 38 – column 9, line 10).

With respect to claim 30, Wilens teaches the transmission unit is configured to transmit a part of the first taste information that represents the taste of the user as

search key information to the predetermined apparatus that stores the plurality of taste information that represent the respective tastes of the plurality of other users (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1, and in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10), and the reception unit is configured to receive the second taste information and group information that represents groups that the plurality of other users belong to and that corresponds to the second taste information as the attribute information (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), the second taste information and the group information being information that the predetermined apparatus that has received the search key information at least transmits after searching for taste information including the search key information from the plurality of taste information stored therein as the second taste information having the resemblance to the first taste information (i.e. in order to match taste information or create a group, preferences, or stored search keys are compared, column 8, lines 38-51, and column 9, lines 1-10).

With respect to claim 31, Wilens teaches receiving first taste information that represents a taste of a user from a terminal apparatus of the user (i.e. subscriber registers and stores personal profile, which is received and stored in database, column 2, lines 59-61), storing a plurality of taste information that represent respective tastes of a plurality of other users and attribute information corresponding to the plurality of other

users (i.e. database stores user profiles which have preferences from many subscribers, claim 1, the profiles identify subscribers that have common preferences, or attributes, column 2, lines 54-61), searching for second taste information having a resemblance to the first taste information from the plurality of taste information stored in the storing (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal tastes and preferences, column 3, lines 9-15), retrieving at least the attribute information of the plurality of other users that correspond to the second taste information (i.e. a search can be done for only married men, for example, or can display characteristics your friend must not have, column 9, lines 9-15), and transmitting the retrieved attribute information to the terminal apparatus of the user (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1).

With respect to claim 32, Wilens teaches reception means for receiving first taste information that represents a taste of a user from a terminal apparatus of the user (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51), storage means for storing a plurality of taste information that represent respective tastes of a plurality of other users and attribute information corresponding to the plurality of other users (i.e. database stores user profiles which have preferences from many subscribers, claim 1, the profiles identify subscribers that have common preferences, or attributes, column 2, lines 54-61), search means for searching for second taste information having a resemblance to

the first taste information from the plurality of taste information stored in the storage means (i.e. users can search to match themselves with other users, column 9, lines 31-50, and users are matched based on their personal tastes and preferences, column 3, lines 9-15), and transmission means for transmitting at least the attribute information of the plurality of other users that correspond to the second taste information to the terminal apparatus of the user when the reception means receives the first taste information (i.e. computer system transmits information about users taste, which may be biographical information, or information about personal preference, column 2, lines 66-67, and column 3, line 1).

With respect to claim 33, Wilens teaches transmission means for transmitting first taste information that represents a taste of a user to a server (i.e. subscriber registers and stores personal profile, which is received and stored in database, column 2, lines 59-61, accessed by web servers, column 4, lines 23-30), reception means for receiving at least attribute information of a plurality of other users corresponding to second taste information, from the server (i.e. when user sets up profile, they input personal information and preferences that are used as search keys for the system, column 8, lines 38-51) and registration means for registering the received attribute information of the plurality of other users corresponding to the second taste information as said user's attribute information, wherein the second taste information has a resemblance to the first taste information and is searched by the server from a plurality of taste information stored in the server (i.e. server is used to store and access subscriber information, with user profiles and groups, column 4, lines 23-50).

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEXANDRIA Y. BROMELL whose telephone number is (571)270-3034. The examiner can normally be reached on M-R 6:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John R. Cottingham/  
Supervisory Patent Examiner, Art Unit 2167

Alexandria Y Bromell  
Examiner  
Art Unit 2167

AYB  
April 21, 2008